

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

JONAS B. FOSTER,
Plaintiff,

v.

H. SHIRLEY, et al.,
Defendants.

No. 1:21-cv-00020-DAD-SAB (PC)

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS AND DENYING
MOTION FOR PRELIMINARY
INJUNCTION

(Doc. Nos. 8, 10)

Plaintiff Jonas B. Foster is a state prisoner proceeding *pro se* and *in forma pauperis* in this civil rights action pursuant to 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On January 21, 2021, plaintiff filed a notice requesting an investigation into alleged mail tampering by prison officials. (Doc. No. 8.) On January 22, 2021, the assigned magistrate judge issued findings and recommendations, construing plaintiff's notice to be a request for a preliminary injunction and recommending that the request be denied. (Doc. No. 10 at 1, 3.) The findings and recommendations were served on plaintiff and contained notice that any objections thereto were to be filed within fourteen (14) days after service. (*Id.* at 3.) The deadline to do so has since passed, and no objections have been filed.

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1 In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), this court has conducted a
2 *de novo* review of this case. Having carefully reviewed the entire file, the court concludes that
3 the magistrate judge's findings and recommendations are supported by the record and proper
4 analysis.

5 Accordingly,

- 6 1. The findings and recommendations issued on January 22, 2021 (Doc. No. 10) are
7 adopted in full;
- 8 2. Plaintiff's motion for a preliminary judgment (Doc. No. 8) is denied; and
- 9 3. This matter is referred back to the assigned magistrate judge for further
10 proceedings consistent with this order.

11 IT IS SO ORDERED.

12 Dated: **February 23, 2021**

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15 UNITED STATES DISTRICT JUDGE
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